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JUL 17 2006

OFFICE OF PETITIONS

In re Application of Patil et al. :
Application No. 10/629,309 :
Filing Date: July 29, 2003 :
Attorney Docket No. U 014742-0 :

Decision on Petition

This is a decision on the petition under 37 CFR 1.181, filed May 16, 2006, to withdraw the holding of abandonment.

The petition is **granted**.

Facts:

A final Office action was mailed July 29, 2005.

A Notice of Appeal and request for a three-month extension of time were filed January 30, 2006. The papers have a certificate of mailing date of January 26, 2006.

A Notice of Abandonment was mailed May 8, 2006. The Notice stated a reply had not been filed in response to the final Office action.

Discussion:

A review of the facts indicates a proper reply was timely filed in response to the final Office action.

The maximum extendable time period for petitioner to file an appeal brief, or other proper paper, ends on August 30, 2006.

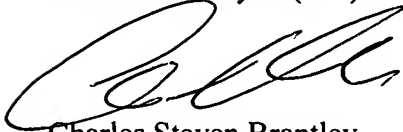
For the reasons above, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The Office incorrectly charged the Notice of Appeal fee and the fee for an extension of time in response to the submission of a copy of the papers filed January 30, 2006. The sum of \$1,520 will be credited to petitioner's deposit account.

Technology Center Art Unit 1653 will be informed of the instant decision. Thereafter, the Technology Center's technical support staff will allow petitioner until the end of the maximum

extendable time period to file a proper paper, such as an appeal brief or RCE. If a proper paper is not filed by August 30, 2006, a Notice of Abandonment will be mailed.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

A handwritten signature in black ink, appearing to read 'C. Brantley', with a large, sweeping initial 'C'.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions